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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ARAQUE JR, GERARDO

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/757,460	Applicant(s) TAKATAMA ET AL.	
	Examiner GERARDO ARAQUE JR	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1-15-04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 1 - 18** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

5. **Claims 2 – 18** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. Specifically, applicant is claiming “preparation place/transfer place” within the above mentioned claims. As a result, it is uncertain as to whether or not the applicant is claiming “preparation place and transfer place”, “preparation place or transfer place”, or “preparation place and/or transfer place”. Further still, the Examiner would also like to mention that in the event that the applicant

is claiming "preparation place and/or transfer place" it would still render the claim vague and indefinite for the above mentioned reasons.

6. In regards to **claims 2 – 12**, the applicant is claiming various "means plus function" language, however, it is uncertain as to what the "means plus function" is directed to. For example, **claim 2** discloses "position information acquisition means for acquiring..." yet it is uncertain whether the claim is directed to a "means for acquiring" or "means for position information acquisition". For the purposes of examination, the Examiner will assume "means for acquiring position information..." The same holds true for several of the claims, such as **lines 14 – 15 and 17 - 18 of claim 2, lines 4 - 5 of claim 3, and lines 4 – 5 of claim 5** just to name a few.

7. In regards to **claims 1 – 15**, applicant claims "**an orderer system mounted on moving means on which an orderer gets...**". However, what is the orderer getting? As discussed above, there is several limitations that need rewording and clarification since it appears to be a literal translation of a foreign language. Another example, would be "an acceptance center system which accepts ordering from the orderer system" in **lines 3 - 4 of claim 1**. However, it should be read as "an acceptance center which accepts **an order** from the orderer system." The applicant is asked to review all claims and make the necessary corrections to the claims in order to better clarify what is being claimed, including **claims 16 - 18**.

Further still, the Examiner is also uncertain on the function of the preparation place and transfer place (only to name a few). Initially, it was understood that the preparation place is where the order is prepared and that the transfer place is where the

order is transferred to the orderer. However, later limitations to the transfer place and preparation place appear to claim something different, i.e. acquiring position information (just to name a few). Are the transfer place and preparation place working together and acquiring position information, are both acquiring position information independently (if so, are they relaying the information to one another), is there a separate system that is acquiring the information and relaying the information to the transfer place and preparation place? Are there multiple systems acquiring this information and is each assigned to the transfer place and preparation place separately? Again, applicant is advised to review **all claims** for grammatical and idiomatic errors.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. **Claims 1 – 7, 10 – 14, and 16** are rejected under 35 U.S.C. 102(b) as being anticipated by **Hall et al. (US Patent 6,026,375)**.

10. In regards to **claim 1**, **Hall** discloses a first-order type drive through system comprising:

an orderer system mounted on moving means on which an orderer gets (**see at least Col. 5 Lines 44 - 47**);

an acceptance center system which accepts an ordering from the orderer system
(Col. 7 Lines 52 - 55);

a preparation place system installed in a preparation place where a merchandise is prepared and stored **(inherently included in drive-thru services, such as McDonald's);** and

a transfer place system installed in a transfer place where the merchandise prepared in the preparation place is transferred to the orderer, the systems being connected to one another via a network **(inherently included in drive-thru services, such as McDonald's; see also Col. 1 Lines 47 - 49),**

wherein at least one of the preparation place system and the transfer place system periodically acquires position information indicating a present position of the orderer from the orderer system from when ordering information indicating that the orderer has placed an order for the merchandise is received from the orderer system until information indicating that transfer of the merchandise to the orderer has been completed is received from the orderer system, and grasps the orderer's present position **(see at least Col. 6 Lines 21 - 24).**

11. In regards to **claim 2**, **Hall** discloses a first-order type drive through system comprising:

an orderer system mounted on moving means on which an orderer gets **(see at least Col. 5 Lines 44 - 47);**

an acceptance center system which accepts an ordering from the orderer system
(Col. 7 Lines 52 - 55);

a preparation place system installed in a preparation place where a merchandise is prepared and stored **(inherently included in drive-thru services, such as McDonald's)**; and

a transfer place system installed in a transfer place where the merchandise prepared in the preparation place is transferred to the orderer, the systems being connected to one another via a network **(inherently included in drive-thru services, such as McDonald's; see also Col. 1 Lines 47 - 49)**,

the orderer system comprising:

position information acquisition means for acquiring position information indicating a present position of the orderer; position information transmission means for transmitting the position information acquired by the position information acquisition means **(see at least Col. 6 Lines 21 - 24)**; and

ordering means for transmitting ordering information indicating that the merchandise is ordered to the acceptance center system **(see at least Col. 5 Lines 44 - 47; Col. 7 Lines 52 - 55)**,

the acceptance center system comprising:

preparation place/transfer place determination means for determining the preparation place where the ordered merchandise is prepared in accordance with the ordering information and the transfer place where the merchandise is transferred upon receiving the ordering information from the orderer system **(inherently included in drive-thru services, such as McDonald's; see also Col. 1 Lines 47 - 49)**;

ordering information transfer means for transmitting the ordering information to the transfer place system and the preparation place system in the preparation place and the transfer place determined by the preparation place/transfer place determination means **(see at least Col. 7 Lines 52 - 55);** and

position acquisition stop command means for transmitting a command for stopping the acquisition of the position information to the transfer place system and the preparation place system upon receiving transfer information indicating that the orderer has received the merchandise ordered in accordance with the ordering information from the preparation place system **(see at least Col. 8 Lines 1 - 16; Col. 8 - 9 Lines 63 - 4; Col. 9 Lines 51 - 56; Col. 10 Lines 6 - 12; Col. 9 Lines 51 - 56).**

12. In regards to **claim 3**, **Hall** discloses wherein the acceptance center system comprises:

preparation place/transfer place position information storage means for storing one or more pieces of preparation place/transfer place position information indicating locations of the preparation place and the transfer place **(see at least Col. 6 Lines 6 - 11)**, and

the preparation place/transfer place determination means transmits a request for acquiring the position information to the orderer system to acquire the position information upon receiving the ordering information from the orderer system, refers to the preparation place/transfer place position information so that the designated

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merchandise can be prepared based on the acquired ordering information and position information, extracts the preparation place positioned in a predetermined distance from the orderer's present position, and extracts the transfer place positioned in a predetermined distance from the extracted preparation place (**see at least Col. 6 Lines 21 – 25**).

13. In regards to **claim 4**, **Hall** discloses wherein the preparation place system comprises:

preparation place position acquisition means for periodically transmitting the request for acquiring the position information to the orderer system from when the ordering information is received from the acceptance center system until the acquisition stop command is received to acquire the position information (**Col. 6 Lines 21 – 25; Col. 9 Col 51 - 56**).

14. In regards to **claim 5**, **Hall** discloses wherein the transfer place system comprises:

transfer place position acquisition means for periodically transmitting the request for acquiring the position information to the orderer system from when the ordering information is received from the acceptance center system until the acquisition stop command is received to acquire the position information (**Col. 6 Lines 21 - 25; Col. 8 Lines 1 - 16**); and

transfer information transmission means for inputting the transfer information and transmitting the inputted transfer information to the acceptance center system upon

completion of transfer of the merchandise to the orderer **(see at least Col. 7 Lines 52 – 55; Col. 8 Lines 1 - 16)**.

15. In regards to **claim 6**, **Hall** discloses wherein the transfer place system comprises:

trouble occurrence notification means for monitoring a movement path of the orderer based on the position information acquired by the transfer place position acquisition means and transmitting trouble occurrence information indicating that a trouble has occurred in transferring the merchandise to the acceptance center system, when a distance between the orderer's present position and the transfer place where the merchandise transfer is scheduled increases with an elapse of time **(as best understood see at least Col. 8 Lines 1 – 16; Col. 8 – 9 Lines 63 – 4; Col. 9 Lines 51 – 56; Col. 10 Lines 6 - 12)**.

16. In regards to **claim 7**, **Hall** discloses wherein the preparation place/transfer place determination means newly acquires the position information from the orderer system, and extracts the preparation place and the transfer place again, when the acceptance center system receives the trouble occurrence information **(as best understood see at least Col. 8 Lines 1 – 16; Col. 8 – 9 Lines 63 – 4; Col. 9 Lines 51 – 56; Col. 10 Lines 6 – 12)**.

17. In regards to **claim 10**, **Hall** discloses wherein the orderer system comprises destination information transmission means for transmitting destination information indicating a destination of movement by the orderer to the acceptance center system

(as best understood see at least Col. 8 Lines 1 – 16; Col. 8 – 9 Lines 63 – 4; Col. 9 Lines 51 – 56; Col. 10 Lines 6 - 12),

the acceptance center system comprises movement path estimating means for estimating a future movement path of the orderer based on the received position information and destination information upon receiving the position information and destination information from the orderer system **(see at least Col. 9 Lines 34 – 50, specifically Lines 43 - 47),** and

the preparation place/transfer place determination means extracts the preparation place and the transfer place within a predetermined distance from the estimated movement path **(see at least Col. 9 Lines 34 – 50).**

18. In regards to **claim 11**, Hall discloses wherein the preparation place system comprises preparation place operation situation notification means for transmitting information indicating an operation situation of the preparation place to the acceptance center system **(as best understood Col. 9 Lines 34 - 50),**

the transfer place system comprises transfer place operation situation notification means for transmitting information indicating the operation situation of the transfer place to the acceptance center system **(as best understood Col. 9 Lines 34 - 50),** and

the preparation place/transfer place determination means extracts the preparation place and the transfer place low in operation ratio based on the operation situation upon receiving the information indicating the operation situations of the preparation place and the transfer place **(as best understood Col. 9 Lines 34 – 50, see also Col. 9 Lines 19 - 32).**

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19. In regards to **claim 12**, **Hall** discloses wherein the orderer system comprises permission period input means for inputting a position acquisition permission period indicating a period in which the position information is permitted to be transmitted by the position information transmission means **(Col. 6 Lines 21 – 43, wherein the updating of the position is being updated periodically)**, and

the position information transmittance means transmits the position information in the limited position acquisition permission period inputted by the permission period input means **(Col. 6 Lines 21 - 43)**.

20. In regards to **claim 13**, **Hall** discloses a merchandise order receiving method using a first-order type drive through system comprising:

an orderer system mounted on moving means on which an orderer gets **(see at least Col. 5 Lines 44 - 47)**;

an acceptance center system which accepts an ordering from the orderer system **(Col. 7 Lines 52 - 55)**;

a preparation place system installed in a preparation place where a merchandise is prepared and stored **(inherently included in drive-thru services, such as McDonald's)**; and

a transfer place system installed in a transfer place where the merchandise prepared in the preparation place is transferred to the orderer, the systems being connected to one another via a network **(inherently included in drive-thru services, such as McDonald's; see also Col. 1 Lines 47 - 49)**,

the method comprising:

an ordering step of transmitting ordering information indicating the ordering of the merchandise to the acceptance center system by the orderer system **(see at least Col. 5 Lines 44 – 47; Col. 7 Lines 52 - 55);**

a position information transmission step of transmitting position information indicating an acquired present position of the orderer by the orderer system **(see at least Col. 6 Lines 21 - 24);**

a preparation place/transfer place determination step of determining the preparation place where the merchandise ordered in accordance with the ordering information is prepared and the transfer place where the merchandise is transferred based on the ordering information and the position information received from the orderer system by the acceptance center system **(inherently included in drive-thru services, such as McDonald's; see also at least Col. 1 Lines 47 – 49; Col. 7 Lines 52 - 67);**

an ordering information transmission step of transmitting the ordering information to the transfer place system and the preparation place system in the determined preparation place and transfer place by the acceptance center system **(see at least Col. 7 Lines 52 - 55);**

a preparation place position acquisition step of periodically transmitting a request for acquiring the position information to the orderer system to acquire the position information upon receiving the ordering information by the preparation place system **(as best understood see at least Col. 6 Lines 21 – 24; see also Col.7 Lines 52 - 55);**
and

a transfer place position acquiring step of periodically transmitting a request for acquiring the position information to the orderer system to acquire the position information upon receiving the ordering information by the transfer place system **(as best understood see at least Col. 6 Lines 21 – 24; see also Col.7 Lines 52 - 55).**

21. In regards to **claim 14**, Hall discloses further comprising:

a trouble occurrence notification step of monitoring a movement path of the orderer based on the acquired position information and transmitting trouble occurrence information indicating that a trouble has occurred in transferring the merchandise to the acceptance center system, when the transfer place system recognizes that a distance between the orderer's present position and the transfer place where the merchandise transfer is scheduled increases with an elapse of time **(as best understood see at least Col. 8 Lines 1 – 16; Col. 8 – 9 Lines 63 – 4; Col. 9 Lines 51 – 56; Col. 10 Lines 6 - 12);** and

a preparation place/transfer place determination step of newly acquiring the position information from the orderer system to determine the preparation place and the transfer place, when the acceptance center system receives the trouble occurrence information **(as best understood see at least Col. 8 Lines 1 – 16; Col. 8 – 9 Lines 63 – 4; Col. 9 Lines 51 – 56; Col. 10 Lines 6 - 12).**

22. In regards to **claim 16**, Hall discloses a program for allowing a computer to execute:

an ordering information input process of inputting ordering information indicating a merchandise ordering from an orderer **(see at least Col. 5 Lines 44 - 47);**

a position information input process of inputting position information indicating a present position of the orderer (**Col. 6 Lines 21 - 24**);

a preparation place/transfer place determination process of determining a preparation place where a merchandise ordered in accordance with the ordering information is prepared and selected and a transfer place where the merchandise is transferred based on the inputted ordering information and position information (**Col. 9 Lines 34 – 51**); and

an ordering information output process of outputting the ordering information to information processing devices installed in the determined preparation place and transfer place and permitting the acquisition of the position information (**as best understood Col. 9 Lines 52 - 62**).

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. **Claim 15 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hall et al. (US Patent 6,026,375)**.

25. In regards to **claims 15 and 18**, **Hall** discloses further comprising:

a transfer information transmission step of inputting transfer information indicating that the orderer has received the ordered merchandise by the ordering information to transmit the inputted transfer information to the acceptance center system

upon completion of the transfer of the merchandise to the orderer by the transfer place system **(obviously included)**.

However, **Hall** fails to explicitly disclose:

a position acquisition stop command step of transmitting a command for stopping the acquisition of the position information to the transfer place system and the preparation place system upon receiving the transfer information by the acceptance center system.

Hall, however, does disclose the function of incorporating a stop command **(see at least Col. 9 Lines 51 - 56)**. Although, **Hall** does not disclose that the stop command is associated to the order being received by the orderer, it is asserted that it would have been obvious to one having ordinary skill in the art that there is no need to continue monitoring the status of the orderer once the order has been received and completed. The Examiner asserts that it would be common sense to stop the monitoring of the orderer's position since it would consume necessary storage space on the system and would result in high expenses to store unnecessary data.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify **Hall** to provide a stop command on the acquisition of the position of the orderer once an order has been completed and received by the orderer in order to prevent unnecessary usage of the system.

26. **Claims 8 – 9 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hall et al. (US Patent 6,026,375)** in view of **Ikeda et al. (US PGPub 2002/0041240 A1)**.

27. In regards to **claim 8**, **Hall** discloses a transfer place system which receives position information, as discussed above.

However, **Hall** fails to disclose:

a traffic information management server which is connected to the network to store traffic information of a road,

the transfer place system comprising:

transfer place traffic information acquisition means for transferring a request for acquiring the traffic information to the traffic information management server to acquire the traffic information; and

transfer place arrival time estimating means for estimating a time at which the orderer reaches the transfer place based on the acquired position information and traffic information.

Ikeda, however, discloses a status notification system which includes a GPS and traffic information receiving antenna (**see at least Page 2 – 3 ¶ 35**). **Ikeda** further discloses that the traffic system gathers information relating to traffic congestion status and determines the ETA based on the congestion status (**see at least Page 3 ¶ 39, 41**). The Examiner asserts that it would have been obvious to one having ordinary skill in the art to look upon the teachings of **Ikeda** and combine the teachings with those of **Hall** in order to provide a more accurate means of determining when an orderer is estimated to arrive to pick up an order. Further still, the combination of **Ikeda** and **Hall** would further provide an effective method of when to prepare an order in order to prevent order backups and unnecessarily occupying valuable storage space.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify **Hall** in view of the teachings of **Ikeda** to provide a traffic monitoring system in conjunction with the transfer place system in order to provide a more accurate method on determining the ETA of an orderer.

28. In regards to **claim 9**, **Hall** discloses a preparation place system which receives position information, as discussed above.

However, **Hall** fails to disclose:

preparation place traffic information acquisition means for transmitting a request for acquiring the traffic information to the traffic information management server to acquire the traffic information; and

preparation place arrival time estimating means for estimating a time at which the orderer reaches the transfer place based on the acquired position information and traffic information.

Ikeda, however, discloses a status notification system which includes a GPS and traffic information receiving antenna (**see at least Page 2 – 3 ¶ 35**). **Ikeda** further discloses that the traffic system gathers information relating to traffic congestion status and determines the ETA based on the congestion status (**see at least Page 3 ¶ 39, 41**). The Examiner asserts that it would have been obvious to one having ordinary skill in the art to look upon the teachings of **Ikeda** and combine the teachings with those of **Hall** in order to provide a more accurate means of determining when an orderer is estimated to arrive to pick up an order. Further still, the combination of **Ikeda** and **Hall** would further

provide an effective method of when to prepare an order in order to prevent order backups and unnecessarily occupying valuable storage space.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify **Hall** in view of the teachings of **Ikeda** to provide a traffic monitoring system in conjunction with the preparation place system in order to provide a more accurate method on determining the ETA of an orderer.

In regards to **claim 17**, **Hall** discloses a preparation place and transfer place system which receives position information, as discussed above.

However, **Hall** fails to disclose:

a trouble occurrence notification input process of inputting trouble occurrence information indicating that a distance between the orderer's present position and the transfer place where the merchandise transfer is scheduled increases with an elapse of time and a trouble has occurred in merchandise transfer; and

a preparation place/transfer place re-determination process of newly inputting the position information to determine the preparation place and the transfer place again, when the trouble occurrence information is inputted.

Ikeda, however, discloses a status notification system which includes a GPS and traffic information receiving antenna (**see at least Page 2 – 3 ¶ 35**). **Ikeda** further discloses that the traffic system gathers information relating to traffic congestion status and determines the ETA based on the congestion status (**see at least Page 3 ¶ 39, 41**). The Examiner asserts that it would have been obvious to one having ordinary skill in the art to look upon the teachings of **Ikeda** and combine the teachings with those of **Hall** in

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order to provide a more accurate means of determining when an orderer is estimated to arrive to pick up an order. Further still, the combination of **Ikeda** and **Hall** would further provide an effective method of when to prepare an order in order to prevent order backups and unnecessarily occupying valuable storage space.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify **Hall** in view of the teachings of **Ikeda** to provide a traffic monitoring system in conjunction with the preparation place/transfer place in order to provide a more accurate method on determining the ETA of an orderer.

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure can be found in the PTO-892 Notice of References Cited.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERARDO ARAQUE JR whose telephone number is (571)272-3747. The examiner can normally be reached on Monday - Friday 8:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. A./
Examiner, Art Unit 3629
2/17/08

/John G. Weiss/
Supervisory Patent Examiner, Art Unit 3629